

**United States District Court
Eastern District of Michigan
Southern Division**

United States of America,

Criminal No. 19-30409

Plaintiff,

v.

Rachel Ayers,

Defendant.

_____ /

**Stipulation to Adjourn Preliminary Exam and
Complaint and to Find Excludable Delay**

The United States of America and Defendant agree that there is good cause to adjourn the Complaint, and the Preliminary Exam in this case scheduled for February 28, 2022, to a new date of May 10, 2022. *See* Fed. R. Crim. P. 5.1(d). This extension of time is necessary to allow the parties to investigate the facts of this case further and engage in plea negotiations. Defendant concurs in this request and agrees that it is in Defendant's best interest. The parties further stipulate and agree that the complaint remains in full force and effect through the new date of May 10, 2022. The parties stipulate and agree that this stipulation and any order resulting therefrom shall not affect any previous order of pretrial detention or pretrial release.

Additionally, the parties agree that the adjournment from February 28, 2022, to a new date of May 10, 2022 would serve the ends of justice for the reasons stated above, that the failure to grant this continuance "would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the

exercise of due diligence,” and that this time period should be excluded in calculating the time within which an indictment or information must be filed under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7) and 18 U.S.C. § 3161(b). Therefore, “the ends of justice served by the granting of such continuance [will] outweigh the best interests of the public and the defendant in a speedy trial,” 18 U.S.C. § 3161(h)(7), and the parties request an order to that end.

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February 28, 2022

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_____/

**Order Adjourning Preliminary
Examination and Complaint**

This matter coming before the court on the stipulation of the parties, it is hereby

ORDERED that good cause exists to extend the complaint and Preliminary Examination in this case, scheduled for February 28, 2022, to a new date of May 10, 2022. *See* Fed. R. Crim. P. 5.1(d).

ORDERED that the complaint and the order setting conditions of bond remain in full force and effect.

ORDERED that the period from February 28, 2022 to May 10, 2022, shall be excluded from computing the time within which an information or indictment must begin for the reasons set forth herein, and because the ends of justice served by such

continuance outweigh the interests of the public and Defendant in a speedy trial. *See* 18 U.S.C. §3161(h)(7) and 18 U.S.C. § 3161(b).

IT IS SO ORDERED.

s/Kimberly G. Altman
KIMBERLY G. ALTMAN
United States Magistrate Judge

Entered: February 28, 2022